



Francis City Planning Commission Meeting

Thursday, November 21st, 2024, 6:00pm
2319 South Spring Hollow Road, Francis, UT

Comments may also be made by email to comments@francisutah.gov

The meeting will be streamed live on the Francis City YouTube channel:
<https://www.youtube.com/channel/UC-9wahpEELShvGQZShXGIXg>

Agenda:

1. Call Meeting to Order
2. Short-Term Rental Conditional Use Permit for 795 W Oak Lane – Discussion and possible removal of condition.
3. Town Center Hotel Concept
4. 2025 Planning Commission Meeting Schedule
5. Approval of Minutes
6. Staff Update
7. Adjourn

In Compliance with the Americans Disabilities Act, individuals needing special accommodations during this hearing should notify Antini Henderson at (435) 783-6236 at least three days prior to the hearing. I certify that this notice has been posted in two (2) public places and on the Utah State Public Notice Website and the Francis City website. Attested by Antini Henderson.



To: Katie Henneuse; Francis City Planning Commission
From: Brad Christopherson, City Attorney
Date: November 11, 2024
Re: Conditions on a recently approved CUP – Mike and Kim Lincoln

Following the approval of their CUP and the notification of conditions, the Lincolns requested a review of the condition limiting the rental period to October 16 – May 31. This condition was based on their statement that the Lincolns would be living there from June 1 through late October.

Here is the law and my analysis.

Utah Code 10-9a-507. Conditional uses.

- (1) (a) A municipality may adopt a land use ordinance that includes conditional uses and provisions for conditional uses that require compliance with ***objective standards set forth in an applicable ordinance.***
 - (b) A municipality may not impose a requirement or standard on a conditional use that conflicts with a provision of this chapter or other state or federal law.
 - (2) (a) ***(i) A land use authority shall approve a conditional use if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards.***
 - (ii) The requirement described in Subsection (2)(a)(i) to reasonably mitigate anticipated detrimental effects of the proposed conditional use does not require elimination of the detrimental effects.***
 - (b) If a land use authority proposes reasonable conditions on a proposed conditional use, the land use authority shall ensure that the conditions are stated on the record and reasonably relate to mitigating the anticipated detrimental effects of the proposed use.
 - (c) If the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards, the land use authority may deny the conditional use.
- (3) A land use authority's decision to approve or deny conditional use is an administrative land use decision.

(4) A legislative body shall classify any use that a land use regulation allows in a zoning district as either a permitted or conditional use under this chapter.

Analysis:

As I reviewed the specific condition of not renting the home from June 1 – October 15, I was unable to identify what “reasonably anticipated detrimental effects of the proposed use” would be mitigated.

As I reviewed the Francis City Code Section 18.15.220 – I found it to be fairly comprehensive in identifying the potential detrimental effects and there are a number of requirements already articulated in the City’s STR ordinance.

One other item of note: Conditional Use Permits run with the land and are approved for that particular property. They are not tied to the owner.

For the foregoing reasons, in my opinion, this Condition previously referenced is not a reasonable condition designed to mitigate a reasonably potential detrimental effect.



Staff Report

To: Francis City Planning Commission

From: Katie Henneuse

Report Date: November 14, 2024

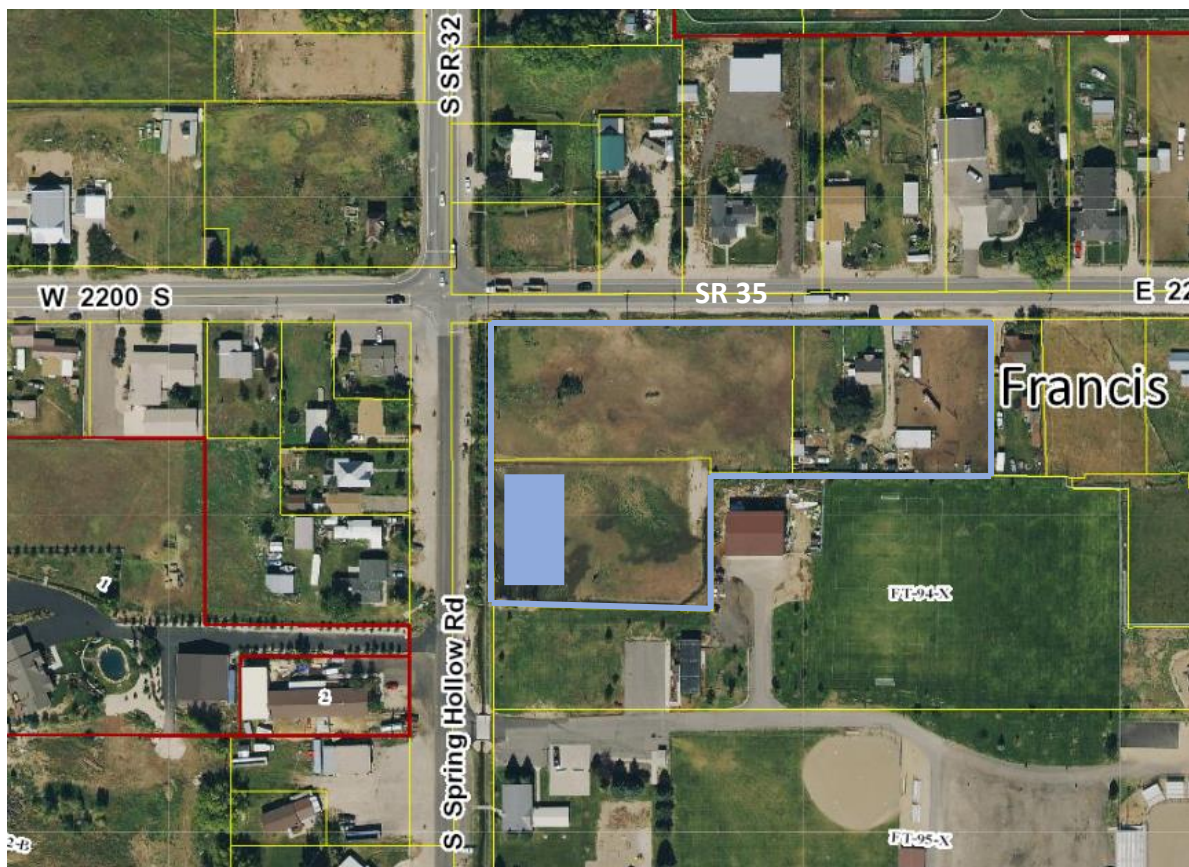
Meeting Date: November 21, 2024

Title: Town Center Hotel Concept Plan

Type of Item: Administrative

Location:

The proposed hotel site is located on the southeast corner of State Road 35 and Spring Hollow Road. It is adjacent to and directly north of the new Francis City Hall. The hotel is planned to be part of the previously approved Town Center mixed-use development. Town Center will be built on parcels FT-90, FT-92, and FT-99. The combined parcel acreage is 3.49 acres.



Background:

The Town Center site plan, architectural plans, and landscape plans were approved in the fall of 2022. The plan was for two large mixed-use commercial and residential structures on parcels FT-99 and FT-92. Russ Witt was the applicant. The Town Center property was purchased by Rusty Webster in 2024. He also became the owner of the neighboring property, FT-90 in 2024. Webster plans to update the site plan to expand the Town Center project onto FT-90. He is also planning to make some architectural updates to the Town Center project. He will submit a separate application to apply for the site plan and architectural updates.

Executive Summary:

Parcels FT-90, FT-92, and FT-99 are zoned City Center (CC). The applicant is proposing a four-story 70-room hotel. Hotels are a conditional use in the CC zone. This concept plan application is for the hotel which will be developed in conjunction with the Town Center project. The applicant is planning the Town Center project to include a restaurant, 21 apartments, and retail space. This concept review is only for the hotel portion which is planned to be located on Parcel FT-99. The hotel will include a convenience store, two hot tubs, a possible fitness center, elevator, business center, and shared courtyard with a gas fireplace. Plans for the hotel include a 1,400 square foot conference room for meetings, weddings, and parties.

Concept Plan Objectives (18.115.100):

The concept plan provides an opportunity for the applicant, city staff, Planning Commission, and City Council to meet and discuss the proposed project in the conceptual stage. The applicant can use the concept plan meetings to ask questions of the Planning Commission, City Council, and city staff and receive some direction on development design and layout. The procedures for approval of a commercial development and the city's specifications and requirements may also be discussed at the concept plan meetings.

General Plan Guidance:

Mission Statement: The City of Francis has a core mission to provide the highest quality of life in a rural atmosphere through essential infrastructure, public safety, and recreation by allowing responsible growth within the constraints of fiscally responsible government.

Land Use Vision: Francis will continue to be a rural and family friendly community. Preservation of our agricultural heritage, dark skies, scenic views, and open spaces are our priority. Growth will be sustainable, well-planned, and consistent with the zoning map and General Plan.

Land Use Policy 2E: Condition development approval on construction of adequate culinary water, sewer, storm drainage, and transportation systems.

Land Use Policy 2F: Commercial uses should be highly accessible and provide adequate access and parking.

Economic Development Goal 1: The rate of commercial growth will be higher than the rate of residential growth.

Economic Development Policy 2A: Improve, diversify, and increase the tax base. Seek revenue growth from economic development activities to mitigate residential property tax increases.

Economic Development Policy 2C: Buffer commercial and industrial uses from existing single family residential areas.

Economic Development Policy 2E: Maximize revenues from tourism by implementing a transient room tax.

City Code Review:

All requirements pertaining to the commercial (C-1) zone are applicable in the CC zone, excepting a few provisions unique to the CC Zone.

Lot Area and Frontage (18.45.040 & 18.45.060)

There is no minimum lot area in the CC zone except as may be dictated by off-street parking requirements, adequate circulation, and property size utilization. Lot area requirements are determined by the Planning Commission and City Council. Each lot in the CC zone is required to have a minimum of 35 feet of frontage on a public street.

The concept plan meets the requirements for lot area and frontage.

Setbacks and Height (18.45.070 & 18.57.080)

Each structure in the CC zone shall be located at least 10 feet from the property line, zero feet from the nearest building or parcel, and zero feet from the rear property line. Buildings in the CC zone shall not exceed 45 feet in height, unless an express exception in FCC 18.15.100 applies, nor exceed the recommendation of the South Summit Fire District.

The concept plan appears to exceed the setback requirement. The building height must be 45 feet or less to be compliant with code. A height exception may apply to certain architectural elements.

Architectural Design and Materials (18.57.060)

Proposed developments shall undergo an architectural review by the Planning Commission and City Council. The review will determine if the developer has effectively incorporated a mountain aesthetic with neutral colors that is in harmony with the surrounding landscape and structures. Structures are limited to three stories. The maximum building coverage shall be 55 percent of the lot area.

The applicant is proposing a four-story hotel. The building must be three stories or less to be compliant with code. The City Council approved a building height increase from 40 to 45 feet in the City Center zone in August 2024. The item was positively recommended by the Planning Commission. The Planning Commission should discuss whether the intent of the code update

was to allow four-story buildings and if there was an oversight in not amending 18.57.060 to allow four-story buildings.

The applicant is utilizing a mountain design theme that ties in with the approved architectural plans for the Town Center development. The applicant is planning to update the colors of the Town Center development to match the proposed hotel and the Francis City Town Hall. The Planning Commission should discuss whether the applicant has effectively incorporated a mountain aesthetic architecture that meets the intent of the City Center Code.

Buffers, Fences, and Walls (18.45.150)

Buffer treatment may be required whenever a change occurs between residential and nonresidential uses. Additional landscaping and screening may be required. Where differing uses are to be developed adjacent to existing residential areas, special consideration shall be made to protect the privacy of residents and requirements shall be at the discretion of the Planning Commission and City Council.

Buffer treatment will likely be required for the Town Center project because of the adjacent residential uses.

Parking (18.45.160, 18.57.050, 18.100.100)

Parking is strongly encouraged to be located on the side and to the rear of any proposed structures, with minimum parking between the front of the building and the street. Parking shall not occur adjacent to any public street except when it has been established that such a location is needed or justified by other site conditions or building entrance location and the use is restricted to visitors/key employees. One parking spot per room is required.

70 stalls are required for a 70-room hotel. On-street parking on Spring Hollow was previously approved for Town Center. Most of the parking is planned behind the structures. The Town Center parking plan was previously approved with the expectation that there would be a 25% reciprocal use reduction and a shared parking agreement with Francis City. The applicant's site plan parking tabulation shows that they are required to provide 246 total spaces for the Town Center development, including the 70 spaces for the hotel. They reduced this by 25% to 185 total to account for reciprocal uses. They are providing 164 stalls on-site and are seeking a shared parking agreement with the City for 21 stalls.

Staff Recommendation to Planning Commission:

This is a discussion item only. No approval of a concept plan is required or given. Prior to the meeting, study the concept plan and staff reports, taking into consideration the requirements of the Francis City Code and the guidance of the General Plan. During the meeting discuss the project, answer the applicant's questions, and provide direction on development design and layout.

Staff Recommendation to Applicant:

Ask questions of the city staff and Planning Commission. Consider incorporating direction given on development design and layout into the concept plan before the next concept plan review

with the City Council. Submit the concept plan to the South Summit Fire District for review. Submit the concept plan to UDOT for review of the access point on SR 35 and to determine if the project warrants a turn lane or other traffic control measures. Perform a traffic study before the site plan and conditional use permit applications are submitted.

Community Review:

A public hearing is not required for this item, but it is recommended in the code that neighbors of the proposed project be consulted to get their views and concerns. Public hearings will be held during review of the conditional use permit.





